

Notice of Allowability

Application No.

10/658,635

Examiner

Kathleen A. McNelis

Applicant(s)

AHERN ET AL.

Art Unit

1742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed April 4, 2005.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 4/4/05 and 4/29/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Acknowledgement of RCE

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.115, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 4, 2005 has been entered.

Claims Status

Claims 1-16 remain for examination wherein claims 1-16 are as originally submitted.

Allowable Subject Matter

Claims 1-16 are allowed.

Examiners Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter Nichols on 8 November 8, 2005. Support for the amendments to claims 7-9 is found on page 3, paragraph [0017] of the specification.

Amendments to claims:

7. The method of claim 1 wherein the brine concentration of the brine solution is between 100g/l ~~NaCl~~ soluble chloride salt and saturation levels.

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8. A method according to claim 7 wherein the brine concentration of the brine solution is between 200g/l and 300g/l ~~NaCl~~ soluble chloride salt.

9. The method of claim ~~18~~ wherein the ~~brine concentration of the brine solution is the equivalent of any other~~ soluble chloride salt is NaCl.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

- Peters (U.S. Pat. No. 4,063,933) discloses a method for using lime in the presence of chlorides to recover lead, zinc, copper and silver from sulfide concentrates,
- Kudo et al. (U.S. Pat. No. 6,349,483) discloses a method for recovering Ga and In by producing a jarosite, then leaching the jarosite to recover the metal values,
- Bender et al. (U.S. Pat. No. 5,232,490) discloses a method for separating precious metals from sulfidic or carbonaceous refractory ores using chlorides,
- Piret et al. (U.S. Pat. No. 4,260,588) discloses a method for producing a sulfidic copper concentrate,
- Piret et al. (U.S. Pat. No. 4,127,639) discloses a method for recovering silver from aqueous lead solutions using hot chloride leaching, and
- Arregui et al. teaches various methods of recovering metal values from jarosite, however,

these citations do not disclose or suggest a method to dissolve metal from jarosites by the sequence of steps of subjecting the material to alkaline treatment in a brine solution with a pH above 7 and a temperature of from 30 °C to 100 °C and then acidifying the brine slurry by reducing the pH of the slurry to less than 6 to solubilize the metal, as in instant claims 1-16.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kathleen A. McNelis whose telephone number is 571- 272-3554. The examiner can normally be reached on M-F 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on 571-272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700